

ORIGINAL

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Attorney for Plaintiff

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 18 2006

at 2 o'clock and 45 min. P.M.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

JOHN McALLISTER;

Plaintiff,

vs.

UNIVERSITY OF HAWAII;
KAPIOLANI COMMUNITY COLLEGE;
JANE CALFEE, Instructor at
Kapiolani Community College;
RICHARD DOE, Academic Counselor
at Kapiolani Community College;
JILL MAGNAGON, Director of
Academic Counseling Services at
Kapiolani Community College;
MONA LEE, Dean of Student Services
Kapiolani Community College,
Defendants.

CIVIL NO. CV-04-00625 JMS-BMK

NOTICE OF MOTION; MOTION TO
STRIKE DEFENDANTS'
INCOMPLETELY IDENTIFIED
WITNESSES 12-35; EXHIBIT "A";
CERTIFICATE OF SERVICE

Hearing:

Time:

Judge:

TRIAL:

March 7, 2006

NOTICE OF MOTION

TO: RYAN M. AKAMINE, ESQ.
CHRISTINE TAMASHIRO, ESQ.
University of Hawaii
2444 Dole St., Bachman Hall 110
Honolulu, Hawaii 96822

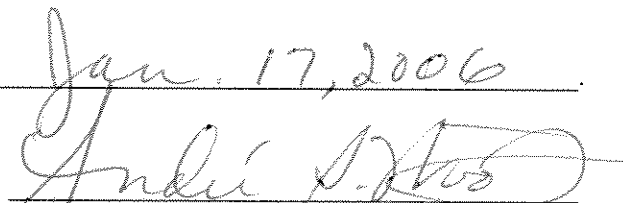
Attorneys for Defendants
UNIVERSITY OF HAWAII, KAPIOLANI
COMMUNITY COLLEGE, JANE CALFEE,
JILL MAKAGON and MONA LEE

JOHN T. KOMEIJI, ESQ.
GREGG M. USHIRODA, ESQ.
KAREN Y. ARIKAWA, ESQ.
23rd Floor, First Hawaiian Center
999 Bishop Street
Honolulu, Hawaii 96813

Attorneys for Defendant
JANE CALFEE

NOTICE IS HEREBY GIVEN that the following Motion to Strike Defendants'
Incompletely Identified Witnesses 12-35 shall come on for hearing before the Honorable
_____, Judge of the above-entitled court, in his/her courtroom in
the United States Courthouse, 300 Ala Moana Blvd., Honolulu, Hawaii 96850, on
_____, 2005, at _____ o'clock _____.m., or as soon thereafter as counsel may
be heard.

DATED: Honolulu, Hawaii, _____



ANDRÉ S. WOOTEN
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOHN McALLISTER;)	CIVIL NO. 04-00625 SOM-BMK
)	
Plaintiff,)	MOTION TO STRIKE DEFENDANTS'
)	INCOMPLETELY IDENTIFIED
vs.)	WITNESSES 12-35
)	
UNIVERSITY OF HAWAII;)	
KAPIOLANI COMMUNITY COLLEGE;)	
JANE CALFEE, Instructor at)	
Kapiolani Community College;)	
RICHARD DOE, Academic Counselor)	
at Kapiolani Community College;)	
JILL MAGNAGON, Director of)	
Academic Counseling Services at)	
Kapiolani Community College;)	
MONA LEE, Dean of Student Services)	
Kapiolani Community College,)	
)	
Defendants.)	
)	

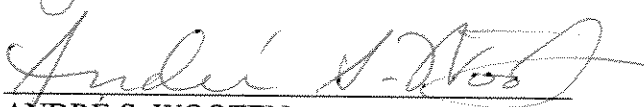
MOTION TO STRIKE DEFENDANTS'
INCOMPLETELY IDENTIFIED WITNESSES 12-35

Comes now Plaintiff JOHN McALLISTER, by and through his attorney of record, André S. Wooten, who hereby files the instant Motion to strike all witnesses named in Defendants' Rule 26 Disclosures filed herein on September 21, 2005 for which no addresses or telephone numbers are provided, witnesses 12-35. Plaintiff is at a great disadvantage not being able to contact and communicate with these proposed witnesses, and Defendants have not provided any indication of what these witnesses may testify about.

Also, all names not provided before the September 16, 2005 discovery cut-off date should be stricken as untimely revealed.

This Motion is based upon Rules 7 and 12 of the Federal Rules of Civil Procedure and the Local Rules and is supported by Defendants' Rule 26 Disclosures, attached hereto as Exhibit "A", and such further evidence as may be presented at a hearing upon the Motion.

DATED: Honolulu, Hawaii,

Jan 17, 2006

ANDRE S. WOOTEN
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOHN McALLISTER;)	CIVIL NO. CV-04-00625 SOM-BMK
)	
Plaintiff,)	CERTIFICATE OF SERVICE
)	
vs.)	
)	
UNIVERSITY OF HAWAII;)	
KAPIOLANI COMMUNITY COLLEGE;)	
JANE CALFEE, Instructor at)	
Kapiolani Community College;)	
RICHARD DOE, Academic Counselor)	
at Kapiolani Community College;)	
JILL MAGNAGON, Director of)	
Academic Counseling Services at)	
Kapiolani Community College;)	
MONA LEE, Dean of Student Services)	
Kapiolani Community College,)	
)	
Defendants.)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was duly served upon the following parties at their last-known address by either hand delivery or U.S. Mail, postage prepaid, on Jan 18, 2006.

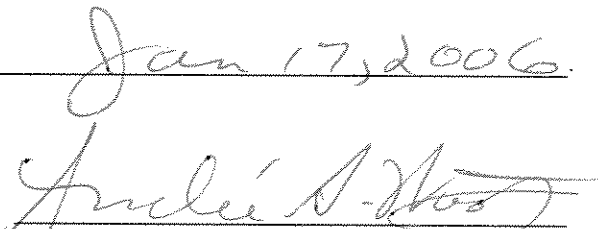
RYAN M. AKAMINE, ESQ. (U.S. Mail)
Associate General Counsel
CHRISTINE TAMASHIRO, ESQ.
Assistant General Counsel
University of Hawaii
2444 Dole Street, Bachman Hall 110
Honolulu, Hawaii 96822

Attorneys for Defendants
UNIVERSITY OF HAWAII,
KAPIOLANI COMMUNITY COLLEGE,
JILL MAKAGON and MONA LEE

JOHN T. KOMIJI, ESQ. (Hand Delivery)
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KAREN Y. ARIKAWA, ESQ.
23rd Floor, First Hawaiian Center
999 Bishop Street
Honolulu, Hawaii 96813

Attorneys for Defendant
JANE CALFEE

DATED: Honolulu, Hawaii, _____



ANDRE' S. WOOTEN
Attorney for Plaintiff